

UNITED STATES BANKRUPTCY COURT

DISTRICT OF COLORADO

U.S. CUSTOM HOUSE

721 NINETEENTH STREET, FIRST FLOOR

DENVER, COLORADO 80202-2508

BRADFORD L. BOLTON
CLERK

(303) 844-4045

June 28, 2005

Dear Practitioner:

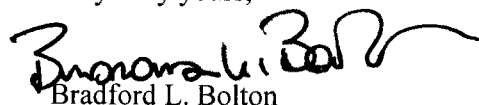
The Servicemembers Civil Relief Act of 2003 ("SCRA") replaces the Soldiers' and Sailors' Civil Relief Act to provide for the temporary suspension of judicial and administrative proceedings and transactions that may adversely affect Servicemembers or their dependents during their military service. 50 U.S.C. App. § 502. SCRA places additional affidavit requirements on moving parties before relief on matters covered under it may be granted. In order to promote proper compliance with SCRA, the United States Bankruptcy Court for the District of Colorado has issued the attached General Procedure Order 2005-2 setting forth the affidavit requirement which will be enforced effective **August 1, 2005**, although you are strongly encouraged to use the affidavit immediately.

A compliant form of SCRA affidavit must accompany all motions for relief from stay and for default judgment. Compliance with SCRA's affidavit requirement may be satisfied by a statement, declaration, verification or certificate in writing, subscribed and certified or declared to be true under penalty of perjury indicating necessary facts to support the affidavit. Section 521(b)(4). If the affidavit is a separate document, it should be attached or filed electronically on the page following the certificate of service.

There are several resources available on the internet that help explain the coverage of SCRA and how to obtain certificates of service or non-service. For a history of SCRA and an outline of what it covers, please visit: <http://usmilitary.about.com/cs/sscra/a/scra2.htm>. Another useful article providing guidelines for SCRA's application is published through the American Bar Association at <http://www.abanet.org/family/military/scrajudgesguidecklist.pdf>. Finally, there are several ways to obtain certificates of service or non-service. You may obtain a free verification from the Department of Defense Manpower Data Center, the application form is found on our Court's webpage; after you are assigned a pin number, it usually takes approximately two days to receive the verification. A pay option is found at <https://www.servicememberscivilreliefact.com/login.htm> or by contacting the different service groups on <http://www.defenselink.mil/faq/pis/PC09SLDR.html>. The Bankruptcy Court does not recommend any one form for verifying service status nor does the Court vouch for the accuracy of the information in the referenced articles that may contain over-generalizations in an effort to simplify the information.

Thank you in advance for your attention to the requirements of SCRA, and for complying with its requirements and GPO 2005-2.

Very truly yours,


Bradford L. Bolton